

REMARKS

Applicants thank Examiner Saidha for extending the courtesy of an interview to discuss the requested claim amendments to their undersigned representative on February 2, 2005. By this amendment, Appellants place the claims into better form for appeal. Claim 20 is amended to recite that the chimeric enzyme comprises a starting enzyme to provide antecedent basis for the term "starting enzyme" in claim 24. For consistency, claim 13 is also amended to recite a chimeric enzyme comprising a starting enzyme. Claims 13 and 20 are further amended to no longer require that the test sample contain the analyte of interest, so that claims 17 and 25, which do require that the test sample contain the analyte of interest, further limit the claims from which they depend. For consistency, claims 30 and 34 are similarly amended. Claims 20 and 34 have been amended to recite "... replacing at least one amino acid of said enzyme. . . " to correct a grammatical error.

In addition, claim 29 is amended to correctly depend from claim 20. As-added by the Amendment filed April 2, 2002, claim 29 depended from claim 13 and was a literal duplicate of claim 28, which was added by the same amendment. Applicants amended claim 29 to depend from claim 20 in their Amendment Under 37 C.F.R. § 1.111 filed January 14, 2003. See page 2. Through an oversight, claim 29 was incorrectly indicated to still depend from claim 13 in Applicants' 37 C.F.R. 1.116 Amendment After Final, which was filed July 8, 2003. Based on the February 2, 2005, interview with Examiner Saidha, Applicants understand that the records of the U.S. Patent and Trademark Office indicate that claim 29 depends from claim 13. Applicants respectfully request that claim 29 be amended as proposed to depend instead from claim 20.

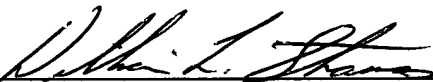
Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 13, 17, 20, 24, and 25 in better form for appeal. Applicants submit that the proposed amendments of claims 13, 20, 30, and 34 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: February 7, 2005

By: 
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